

PATENT APPLICATION
LeA 35861

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)
) ART NO.: 1611
DOROTHEE HOISCHEN ET AL)
) EXAMINER: KORTNEY L. KLINKEL
SERIAL NUMBER: 10/506,644)
) CONFIRMATION NO.: 4956
FILED: SEPTEMBER 2, 2004)
)
TITLE: SUBSTITUTED ARYL KETONES)
)
)
)

DECLARATION OF DR. ANDREAS VAN ALMSICK

1. My name is Dr. Andreas van Almsick. I am competent to make this Declaration, am over the age of 18, and have never been convicted of a felony or any crime involving moral turpitude. Unless otherwise stated, all statements herein are made on the basis of personal knowledge.

2. I reside at Am Breul 4b, D-61184 Karben in the Federal Republic of Germany and I am a citizen of the Federal Republic of Germany.

3. From 1981 to 1990 I studied Chemistry at the University of Wuppertal. In 1990 I received my Ph. D. degree in Chemistry from the University of Wuppertal.

4. Since 1991 I have been employee in facilities of Schering AG, AgrEvo GmbH, Aventis CropScience GmbH and Bayer CropScience AG in their departments for Chemical Research. Presently, I am Group Leader of a Chemical Research Team and Leader of the Research Group "Diketoaryl (HPPD)" at Bayer CropScience AG. I have been involved in herbicide research since 1994.

5. I am a named inventor on United States Patent Application No. 10/506,644.

6. Compounds according to claim 18 have been tested for herbicidal activity as set forth in Use Examples A and B of the specification as filed. I am qualified to evaluate these test data.

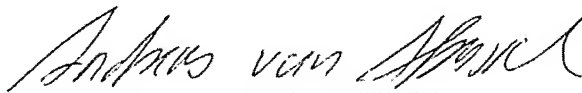
7. The particular compounds that were tested are compounds number 1-12, 34, 35, 145, 167 and 168 set forth in Table 1 in the Specification as filed, pages 78-131.

8. The data set forth in attached Tables 1, 2A and 2B demonstrate that each of the testes compounds has both pre-emergent and post-emergent herbicidal activity.

9. Given this, a person having ordinary skill in the art can easily conceive and practice the claimed compositions and methods without undue experimentation.

10. I further hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further these statements remain with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed at Frankfurt a.M., this 17 day of December, 2009.

A handwritten signature in cursive script, appearing to read "Andreas von Arnim", written over a horizontal line.

NAME

Table 1

	ALOMY	AVEFA	ECHCG	SETVI	ABUTH	AMARE	GALAP	IPOHE	SINAL
Compound 1	70	-	90	-	100	100	80	80	100
PRE-E									
POST-E	50	80	80	-	80	95	40	80	95
Compound 2	60	80	99	100	100	100	95	70	100
PRE-E									
POST-E	50	90	80	80	80	80	80	80	90
Compound 3	-	-	-	-	50	70	-	-	-
PRE-E									
POST-E	40	30	90	20	50	80	30	40	80
Compound 4	80	80	90	-	100	90	90	80	100
PRE-E									
POST-E	70	80	80	80	80	80	60	50	95
Compound 5	80	90	95	-	100	90	90	90	100
PRE-E									
POST-E	90	80	90	70	90	80	70	60	90
Compound 6	90	90	90	100	100	100	80	-	100
PRE-E									
POST-E	80	80	80	70	70	80	70	80	90
Compound 7	70	80	-	-	95	-	90	90	100
PRE-E									
POST-E	-	90	90	-	-	80	70	-	95
Compound 8	50	80	80	100	100	100	90	-	100
PRE-E									
POST-E	90	80	90	90	50	95	70	-	100
Compound 9	-	-	-	-	-	-	-	-	100
PRE-E									
POST-E	-	-	-	-	80	95	50	80	100
Compound 10	-	-	-	-	60	70	80	-	-
PRE-E									
POST-E	70	80	95	-	50	95	70	50	95

	ALOMY	AVEFA	ECHCG	SETVI	ABUTH	AMARE	GALAP	IPOHE	SINAL
Compound 11	PRE-E	-	99	100	100	100	95	-	80
	POST-E	80	90	90	90	-	80	80	99
Compound 12	PRE-E	80	90	95	100	100	90	70	-
	POST-E	80	80	95	70	95	50	60	95
Compound 34	PRE-E	-	-	-	30	90	-	-	-
	POST-E	-	80	80	50	-	80	-	70
Compound 35	PRE-E	-	50	-	-	70	50	-	-
	POST-E	-	80	-	60	70	60	-	80
Compound 145	PRE-E	70	90	-	100	100	80	80	100
	POST-E	50	80	-	80	95	40	80	95
Compound 167	PRE-E	70	100	100	100	100	80	-	95
	POST-E	70	90	95	80	100	90	80	99
Compound 168	PRE-E	-	-	-	80	-	-	-	-
	POST-E	50	90	-	80	95	70	80	100

Used amount of compound 500 g/ha

pre-E = pre-emergence

post-E = post-emergence

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Table 2A

Herbicidal activity in pre-emergence

250 g/ha	ECHCG in %	SETVI in %	AMARE in %	POLCO in %	DATST in %
Compound 2	60	100	100	50	99
Compound 4	90	60	99	95	100
Compound 8	90	90	100	10	90
Compound 11	100	90	100	50	100
Compound 145	100	20	100	90	99
Compound 146	80	30	100	60	99

Enclosure 2

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Table 2B

Herbicidal activity in post-emergence

250 g/ha	ECHCG in %	SETVI in %	AMARE in %	POLCO in %	DATST in %
Compound 2	95	100	90	80	100
Compound 4	90	40	80	60	100
Compound 8	95	95	95	50	100
Compound 11	90	80	90	40	90
Compound 145	95	70	90	70	100
Compound 146	95	60	80	80	100